

REMARKS

By this Response, claims 1 and 37 have been amended. Claims 1-56 are pending in the application with claims 3, 6, 11, 14, 15, 17-36 and 38-56 being withdrawn from consideration as being drawn to a non-elected Species. No new matter has been added. Reconsideration and withdrawal of the objection and rejections in view of the above amendment and the following remarks are requested.

Claim 37 is objected to because of an informality. Applicants have amended claim 37 to correct the informality. Accordingly, the objection is overcome.

Claims 1, 2, 4 and 5 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-22 of co-pending U.S. Application No. 09/758,566. Applicants elect not to file a terminal disclaimer at this time.

Claims 1-2 are rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,259,503, issued to Watanabe et al (hereafter "Watanabe"). Applicants traverse the rejection because Watanabe fails to teach or suggest each of the features recited in the claims of the present invention. In particular, Watanabe fails to teach or suggest an in-plane switching device having among other features, "a plurality of dielectric protrusions between first and second substrates", as recited in amended claim 1.

Applicants note that the insulating layers 105, 106 of Watanabe are not equivalent to the plurality of dielectric protrusions recited in the claims of the present application. Since Watanabe fails to teach or suggest each of the features recited in claim 1, claim 1 and its rejected, dependent claim 2 are not anticipated by Watanabe. Reconsideration and withdrawal of the rejection are requested.

In the Office Action, claims 4-5 and 37 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Watanabe in view of U.S. Patent No. 6, 335, 780, issued to Kurihara et al. (hereafter "Kurihara"). Claims 12-13 are rejected under 35 U.S. C. § 103(a) as being unpatentable over Watanabe in view of U.S. Patent No. 6, 337, 726, issued to Kawano et al. (hereafter "Kawano"). Claim 16 is rejected under 35 U.S.C. § as being unpatentable over Watanabe in view of U.S. Patent No. 6, 476,900, issued to Lee et al. (hereafter "Lee"). Claims

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4-5, 12-13, 16 and 37 are dependent from independent claim 1, discussed above. Applicants respectfully traverse the rejections because neither Watanabe, Kurihara, Kawano nor Lee, analyzed alone or in any combination, teach or suggest an in-plane liquid crystal display device having all the features recited in the claim of the present application, at least for the reasons noted above for independent claim 1.

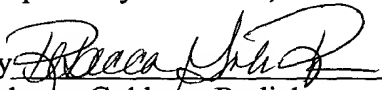
Further, Applicants respectfully submit that no combination of the applied references, when used to modify the deficient teachings of Watanabe, would provide an in-plane switching LCD having the combined features recited in claim 1 and its dependent claims 2, 4-5, 12-13, 16 and 37. As such, reconsideration and withdrawal of the rejection are requested.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and pass this application to issue. If the Examiner deems that a telephone conversation would further the prosecution of this application, the Examiner is invited to call the undersigned at (202) 496-7500.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: August 20, 2003

Respectfully submitted,

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